

EXHIBIT 96
-
REDACTED VERSION OF
ECF NO. 574-19

EXHIBIT 18

Excerpts of Deposition of Cung Le

(Filed Under Seal)

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Cung Le, Nathan Quarry, Jon)
Fitch, Brandon Vera, Luis Javier)
Vazquez, and Kyle Kingsbury on)
behalf of themselves and all)
others similarly situated,)

Plaintiffs,)

vs.)

Zuffa, LLC, d/b/a Ultimate)
Fighting Championship and UFC,)

Defendants.)

Case No. 2:15-cv-
01045-RFB-(PAL)

VIDEO DEPOSITION OF CUNG LE

Taken at the Offices of Boies, Schiller & Flexner
300 South 4th Street, Suite 800
Las Vegas, Nevada

On Tuesday, April 11, 2017
At 8:39 a.m.

Reported by: Jane V. Efaw, CCR #601, RPR

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merged together to do a co-promotion, and I was the co-main event, and Frank Shamrock and Phil Baroni was the main event. And I knocked out Tony Frykland in the third round. And my fourth fight -- well, all my Strikeforce fights were in San Jose, but I can't remember the fighters. Sam Morgan, another UFC Ultimate Fighter event. And then I knocked him out in the third round. And then I got a shot at the title against Frank Shamrock. Do you need the dates for the other two fighters?

Q. No, I do not.

A. Frank Shamrock was in 2008, match of 2008. And that was still, I guess, a co-promotion between the two fight leagues. And I knocked him out in the third round with a kick, [REDACTED], and won the world Strikeforce middleweight title.

Then from there I took some time off to go do three movies back to back. First movie was called True Legends, which was a big Chinese director. They call him Yuen Woo-ping.

And then from -- after that I went to Germany, did a movie with Ben Foster and Dennis Quaid called Pandorum. And it was released worldwide. The third movie I did was called Fighting. It was with Universal Pictures with Channing Tatum. I don't

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first loss in Strikeforce.

Q. So when you say -- when you came back to fight, are you referring to when you came back in December before --

A. In December or whatever.

Q. Whenever that was?

A. Yeah. I can't remember.

Q. So you did three movies, you did a fight in December, and then you did some more movies?

A. I did -- no, I can't remember if it was three or four. I was doing them back-to-back-to-back-to-back. So I couldn't remember exactly how many movies. Then I did a fight. And I lost. And I believe they gave me a rematch within six months, and I continued to train. And then I ended up winning that fight in the second round.

And then I ended up doing two movies back to back. Dragon Eyes and The Man with the Iron Fists, which was with -- Dragon Eyes, I got a chance to star in my first movie with Jean-Claude Van Damme and Peter Weller, which is Robocop. And then The Man with the Iron Fists was with Russell Crowe, Lucy Liu, Dave Bautista, Daniel Wu, and Jamie Chung. And I think that's all I can remember.

Then I came back to the states and was at

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remember the actor's name. The guy from Empire.

And then I came back when Scott asked me -- he needed a main event for -- in December, which gave me eight weeks. And I wasn't doing anything, so I --

Q. December of what year?

A. December of 2 -- I don't remember. I'm sure it's on the record somewhere, but I can't find it. I don't know where it is.

Q. I'm sure it is. So after three movies, you come back and do a fight for Strikeforce?

A. Yeah. After the third movie, because I really wanted to work with, you know, the big studios, I couldn't hang onto the belt. So I decided to vacate my title so I can do the movies. It was actually on the fourth movie when I decided that I was going to vacate the title because I got a chance to work with a very famous director called -- his name was Wong Kar-wai, and he's really famous in China. So I did that one.

And then another movie followed, which was called Bodyguards and Assassins. That's with Donnie Yen, which is probably the biggest Chinese action star right now.

And then when I did come back to fight, I was dominating the fight, and I lost. I suffered my

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Comic-Con promoting movies. Comic-Con is the biggest comic book show in, I guess, the U.S. or the world.

And then I mentioned that by that time, Strikeforce was already bought by UFC. And I ended up saying that I wanted to fight for the UFC. And then Dana and Lorenzo brought me in and gave me a contract, and I think that was the end of my Strikeforce, I guess, deal because they tore my existing contract up.

Q. All right. Now, you say -- you mentioned a number of movies. You said, specifically I thought that you starred in a movie called Dragon Eyes; is that correct?

A. That was my first starring role, which was called Dragon Eyes, yes.

Q. What other movies have you had starring roles in?

A. A movie by Lionsgate or Lighthouse called Puncture Wounds with Dolph Lundgren, Vinnie Jones, and Briana Evigan. Those are my two starring roles. And all the other ones were supporting leads, either the main villain or a supporting lead to the lead actor.

Q. And when you say "the other ones," you had supporting leads that would have been all the other

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<p>1 movies?</p> <p>2 A. Yeah. Like the Man with the Iron Fists.</p> <p>3 Fighting with Channing Tatum. Pandorum I was, I</p> <p>4 guess, either fourth or fifth on the -- they call it</p> <p>5 the credits. And then Puncture Wounds, I was a lead.</p> <p>6 And True Legends, I was one of the main villains.</p> <p>7 Bodyguards and Assassins, I was the main villain with</p> <p>8 the main fight scene. The Grandmaster was nominated</p> <p>9 for two Oscars in film choreograph or cinematography</p> <p>10 or whatever it's called. And then best wardrobe.</p> <p>11 I was shooting two movies at the same time</p> <p>12 there. I was shooting that movie, and I was doing</p> <p>13 the Man with the Iron Fists, going back and forth. I</p> <p>14 guess I wasn't like a villain or a good guy. I was</p> <p>15 just one of the grandmasters who fought another</p> <p>16 grandmaster. And then for the Man with the Iron</p> <p>17 Fists, I was one of the main guys in the Lion clan.</p> <p>18 Q. Have you ever been deposed before?</p> <p>19 A. I have never been deposed before.</p> <p>20 Q. Have you ever testified as a witness in any</p> <p>21 trial or any type of proceeding?</p> <p>22 A. I have not been a witness.</p> <p>23 Q. Other than this lawsuit, have you ever been</p> <p>24 a party to a lawsuit, either as a plaintiff or a</p> <p>25 defendant?</p>	<p>1 lawsuit?</p> <p>2 A. He didn't explain it too well. He just says</p> <p>3 it could help all the fighters. I'm not sure I ever</p> <p>4 talked to him ever before. But he jumps around a</p> <p>5 lot. So I was a little bit confused. So I just sat</p> <p>6 there and listened most of the time.</p> <p>7 Q. What was your -- how would you describe your</p> <p>8 relationship with Mr. Jackson before the first phone</p> <p>9 call?</p> <p>10 A. We are very cordial. We hung out a few</p> <p>11 times. I would call him a friend, but not a friend</p> <p>12 that you hang out all the time, but like when you</p> <p>13 meet up, you end up hanging out. He showed up to one</p> <p>14 of my open houses when I was helping this gym out,</p> <p>15 and I put my program into the gym. And he showed up</p> <p>16 to help out.</p> <p>17 Q. And did Mr. Jackson tell you in those first</p> <p>18 two phone calls who else was involved in bringing a</p> <p>19 potential lawsuit?</p> <p>20 A. Mr. Jackson just said a bunch of fighters</p> <p>21 and his boy -- I forget what the fighter was. I</p> <p>22 can't remember that one. But he said there's a</p> <p>23 handful of fighters, and he thinks I should be a part</p> <p>24 of it. And he said he'll get all the right contacts</p> <p>25 together and put us on a three-way call.</p>
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<p>1 A. No, I have not.</p> <p>2 Q. And how did you first decide to -- well, let</p> <p>3 me put it this way: Before you agreed to be a</p> <p>4 plaintiff in this case, who did you talk to?</p> <p>5 MR. DELL'ANGELO: Let me just instruct the</p> <p>6 witness that you can answer the question provided you</p> <p>7 don't reveal the substance of your communications</p> <p>8 with any attorneys.</p> <p>9 THE WITNESS: I talked to Quinton "Rampage"</p> <p>10 Jackson. He made a call to me. First he was talking</p> <p>11 about a movie that he wanted me to star with him in.</p> <p>12 And he changed the subject and talked about how the</p> <p>13 UFC has messed him up and asked me to join the</p> <p>14 lawsuit to help all the fighters not be taken</p> <p>15 advantage of. And I had to think about it.</p> <p>16 And then he called me back. And then I</p> <p>17 didn't answer. And then he texted me. And he said</p> <p>18 that he'd like to have me talk to someone about the</p> <p>19 case. And he was going to put us on a three-way</p> <p>20 call.</p> <p>21 BY MS. ISAACSON:</p> <p>22 Q. Conference call?</p> <p>23 A. Yeah.</p> <p>24 Q. And your first two conversations with</p> <p>25 Mr. Jackson, what did he tell you about the possible</p>	<p>1 Q. When you say "and his boy"?</p> <p>2 A. I guess his friend. His lingo. That's what</p> <p>3 he said, like as a friend. Gosh, I can't remember</p> <p>4 exactly who the fighter was. I don't remember, but</p> <p>5 he's all, Me and my boy were talking about this, and</p> <p>6 this is how it came together. Yeah, Quinton, he's</p> <p>7 just all over the place. So I was trying to keep up</p> <p>8 with him.</p> <p>9 Q. And after the two phone calls, he texted</p> <p>10 you; is that right, or was that in between the phone</p> <p>11 calls?</p> <p>12 A. He was just texting me, Are you available?</p> <p>13 Are you available? And when I did see the texts, I</p> <p>14 think the first time I was with one of my sons, and I</p> <p>15 said no. Then he texted back again and said, What</p> <p>16 about now? And I said, I'll text you. And I think I</p> <p>17 forgot to text him back. And then he called the next</p> <p>18 day, and then said, Are you ready? And I said, Yeah.</p> <p>19 Q. When you say -- when he asked are you ready,</p> <p>20 and you said yeah, ready for what?</p> <p>21 A. The three-way call.</p> <p>22 Q. And in those first two phone calls when he</p> <p>23 was talking to you about the potential lawsuit, what</p> <p>24 did you tell him about your views about the UFC?</p> <p>25 A. Um, I told him I had my issues with UFC, and</p>

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<p>1 you know, I'm retired now. Oh, no. I was thinking 2 about retiring. And fighters all need to stand up 3 for their rights, and you know, the exclusive 4 contracts that we're all stuck under. And you know, 5 there's really nowhere else to go and to, you know, 6 have a fair market value. And then he actually 7 mentioned that he wanted to do a fight league and was 8 I open to fighting in it. And I said, right now I'm 9 just doing your thing. 10 Q. And by just doing your thing, what did you 11 mean? 12 A. Focusing on my family. Because when you're 13 a fighter, you actually -- you're very selfish, and 14 you don't spend enough time with the kids. So I 15 wanted to spend more time with my kids. And my boys 16 and, you know, my wife, who supported me from my 17 first MMA fight till, you know, my retirement. 18 Q. And do I understand it that in those first 19 two conversations with Mr. Jackson, that you brought 20 up the issue of exclusive contracts; is that right? 21 A. We both talked about it. He mentioned to me 22 that his manager screwed them over with his contract, 23 but I didn't get into too much details about his 24 manager. He volunteered a lot of the information 25 about, you know, what his manager did to him. Like</p>	<p>1 to talk much. He would always talk, and I would 2 listen. 3 Q. Do you recall saying anything critical about 4 the UFC during those first two conversations with 5 Mr. Jackson? 6 A. I asked him what happened with his fallout 7 with the UFC. And he was just like -- he put the 8 blame on his manager. And then he was rambling about 9 how he was treated unfair. I just listened. I was 10 the ear for him. 11 Q. In those first two conversations with 12 Mr. Jackson, did you say anything about how you 13 thought you had been treated unfairly? 14 A. Actually, I don't recall. There was so much 15 said from movies to fights, and you know, character, 16 and why I should, you know, come down and meet one of 17 his producers. It was just a lot going on. There 18 was so much going on. I can't exact recall or 19 remember exactly everything that was said because 20 Rampage will jump from topic to topic to topic to 21 topic, then come back around. 22 Q. Did Rampage Jackson tell you he had spoken 23 to other fighters about bringing a lawsuit against 24 the UFC? 25 A. He said there was other fighters taking part</p>
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<p>1 not letting him know what he was signing. And then 2 me, I was just talking about the rights of all the 3 fighters, and you know, how much better it would be 4 to have fair market and be able to have other people 5 negotiate for, you know, you to become, you know, 6 part of the promotion or part of their fight league 7 for a big bout. 8 Q. So do I understand that you talked -- in 9 those two first phone calls with Mr. Jackson, that 10 you talked about your fair market value? 11 MR. DELL'ANGELO: Object to the form. 12 THE WITNESS: The first conversation I 13 talked mainly with Rampage about a movie. And then 14 that he wanted to meet and talk to someone that was 15 going to do that lawsuit against the UFC. 16 BY MR. ISAACSON: 17 Q. But in those first two conversations with 18 you and Mr. Jackson, did you talk to him about what 19 you thought your fair market value was? 20 A. No, I did not. 21 Q. Did you discuss the subject of fair market 22 value in those first two conversations with 23 Mr. Jackson? 24 A. I can't remember exactly what was said, but 25 just very brief. He really didn't give me a chance</p>	<p>1 in it, but I don't recall him saying that. 2 Q. So after those first two phone calls, did 3 you have a conference call with Mr. Jackson and 4 someone else? 5 A. I did. 6 Q. And who was the third person? 7 A. The third person was Rob Maysey. 8 Q. And Mr. Maysey is counsel for one of the 9 lawyers in the class action on the plaintiffs' side; 10 right? 11 A. Yes. 12 Q. And when you had the phone call, did you 13 understand that Mr. Maysey was representing 14 Mr. Jackson as a lawyer? 15 A. I -- I don't -- I don't remember. He just 16 said, talk to Rob. He's a lawyer. 17 Q. Did Mr. Jackson tell you anything about 18 Mr. Maysey before your phone call other than he was a 19 lawyer? 20 A. Can you repeat that question? 21 Q. Sure. So before you had your conference 22 call, Mr. Jackson told you that Mr. Maysey was a 23 lawyer. Did he tell you anything else about 24 Mr. Maysey? 25 A. Um, that I needed to talk to Rob.</p>

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<p>1 did you work -- what's the period of time you worked 2 with Mr. Ibarra? 3 A. I don't know. I don't remember. 4 Q. Did you work with Mr. Ibarra the entire time 5 you were fighting for the UFC? 6 A. No, I don't think so. 7 Q. Did Mr. Norensberg represent you with 8 respect to your Strikeforce fighter contract? 9 A. I mentioned before that my agent, 10 Mr. Norensberg, only dealt with film and TV. But I 11 kept my fighting separately. 12 Q. And that was true when you were in 13 Strikeforce? 14 A. Yes. 15 Q. And your friend at Jones Day, Mr. Do, did he 16 review Strikeforce fighter contracts for you? 17 A. He gave me advice on Strikeforce, my 18 Strikeforce contract. 19 Q. And when he gave you advice, did you give 20 him copies of contracts to look at? 21 A. Yes. 22 Q. And did anyone negotiate with Strikeforce on 23 your behalf with respect to the fighter contracts? 24 A. No one. 25 Q. So you personally negotiated your fighter</p>	<p>1 A. From the Bay Area into Las Vegas. 2 Q. And did they fly you into Las Vegas? 3 A. No. I was already heading over there. 4 Q. And you had a meeting with them. What did 5 they say to you in the meeting? 6 A. A lot of things were said. Lorenzo said I 7 was one of his favorite fighters, and he wants me to 8 fight for the UFC. And he used to watch -- him and 9 Dana used to watch me on ESPN do scissor kicks on 10 people and throw people on their heads and do crazy 11 kicks. And they used to enjoy my fights. And they 12 love what I did to Frank Shamrock, especially Dana. 13 And they want me to be under the UFC stable. 14 BY MR. ISAACSON: 15 Q. How well did you know Dana White at the 16 conclusion of that meeting? Is that the first time 17 you had met him? 18 MR. DELL'ANGELO: Object to form. 19 THE WITNESS: I had met Dana before. 20 BY MR. ISAACSON: 21 Q. What did you say to Dana White and Lorenzo 22 during this meeting about joining the UFC? 23 A. I said I was interested in fighting for the 24 UFC, and I just answered a few of Dana's questions 25 and listened to Lorenzo talk about my career with</p>
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<p>1 contracts with Strikeforce; is that correct? 2 MR. DELL'ANGELO: Object to the form. Lacks 3 foundation. 4 THE WITNESS: One more time, please. 5 BY MR. ISAACSON: 6 Q. You personally negotiated your fighter 7 contracts with Strikeforce; is that correct? 8 A. Yes. 9 MR. DELL'ANGELO: Same objection. 10 BY MR. ISAACSON: 11 Q. And you personally handled any negotiations 12 about fighter contracts with the UFC; is that 13 correct? 14 A. Can you repeat the last one? Sorry. 15 Q. You personally had any discussions about 16 fighter contracts with the UFC that took place about 17 you. I said that terribly. 18 You were the one who handled any discussions 19 with the UFC about your fighter contracts with the 20 UFC; is that correct? 21 A. I flew in and talked to Dana and Lorenzo. 22 Q. Was that for your initial contract? 23 A. Yes. 24 Q. And when you flew in, you flew in from where 25 to where?</p>	<p>1 Strikeforce on ESPN and enjoyed me as an MMA fighter 2 when I fought with Strikeforce. And to give him a 3 bid and let them talk over something. And he walked 4 me down to their kitchen and had their chef cook me 5 some egg whites. And then I waited there for a bit. 6 And they brought me back up, and Lorenzo had a 7 contract for me. And he handed it to me. And I 8 grabbed it, and I looked it over, but it was that 9 thick. 10 So they started talking about something 11 else. And I said, Is it cool if I look it over and 12 have someone look it over? They're like, Yes. And 13 we talked a little bit more, and then I was off. 14 Q. When you said could you have someone look it 15 over, who did you have in mind to look it over? 16 A. At that time, I didn't have anyone in mind. 17 I was just making sure that I cover all my bases if 18 this was real or not. You know, because I was still 19 under a contract with Strikeforce, but they bought 20 out Strikeforce. So I was just, you know, kind of, 21 you know, there. I was there. 22 Q. Did you have someone look over the contract 23 that they gave you? 24 A. Yes. I believe we talked it over, Khoa. 25 Q. Your friend and lawyer from Jones Day?</p>

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<p>1 A. My friend.</p> <p>2 Q. Your friend who is also a lawyer at Jones</p> <p>3 Day?</p> <p>4 A. Yes.</p> <p>5 Q. And you know Jones Day is a very large law</p> <p>6 firm?</p> <p>7 A. You know, I don't pay attention how large</p> <p>8 law firms are. I've been friends with him for a</p> <p>9 while. I was one of his grooms in his wedding. And</p> <p>10 that's it.</p> <p>11 Q. The contract offer that they gave you that</p> <p>12 day that you visited the UFC, that increased your</p> <p>13 compensation from what you were making at</p> <p>14 Strikeforce; is that correct?</p> <p>15 MR. DELL'ANGELO: Object to the form.</p> <p>16 THE WITNESS: Yes, that is correct.</p> <p>17 BY MR. ISAACSON:</p> <p>18 Q. And did you later sign that agreement?</p> <p>19 A. Yes, I did.</p> <p>20 Q. And did your friend who was also a lawyer at</p> <p>21 Jones Day, did he suggest any changes to the</p> <p>22 agreement?</p> <p>23 A. He -- I believe he just says that, in his</p> <p>24 words --</p> <p>25 MR. DELL'ANGELO: Well, you can answer the</p>	<p>1 questions about it.</p> <p>2 A. He just says, I would do that. If it was</p> <p>3 me, I would do this.</p> <p>4 Q. And he did not suggest any changes to the</p> <p>5 contract?</p> <p>6 A. He only made it more clear that the contract</p> <p>7 would not -- there was really no changes. It was</p> <p>8 just to make one area more clear.</p> <p>9 Q. He suggested to you that you make one area</p> <p>10 of the contract more clear; is that correct?</p> <p>11 A. That I can remember.</p> <p>12 Q. Do you remember what that area of the</p> <p>13 contract was?</p> <p>14 A. I believe it was -- it concerned -- because</p> <p>15 I was doing movies at the time before I signed with</p> <p>16 the UFC. And that's all I can remember.</p> <p>17 Q. And you also had contracts for Ultimate</p> <p>18 Fighter China with UFC; is that right?</p> <p>19 A. A contract --</p> <p>20 Q. I'm sorry. They paid you for your work on</p> <p>21 the Ultimate Fighter in China; correct?</p> <p>22 MR. DELL'ANGELO: Object to the form.</p> <p>23 THE WITNESS: Like being part of the show?</p> <p>24 BY MR. ISAACSON:</p> <p>25 Q. Yeah.</p>
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<p>1 question whether or not he suggested changes, but</p> <p>2 without disclosing the substance of your</p> <p>3 communications with the person from whom you were</p> <p>4 seeking legal advice.</p> <p>5 THE WITNESS: Can you repeat that real</p> <p>6 quick?</p> <p>7 BY MR. ISAACSON:</p> <p>8 Q. And let's be clear. Your friend at Jones</p> <p>9 Day, Mr. Do, even though he was your friend, he was</p> <p>10 acting as your lawyer; correct?</p> <p>11 A. Um, you know, I --</p> <p>12 MR. DELL'ANGELO: Object to the extent it</p> <p>13 calls for a legal conclusion. But you can answer the</p> <p>14 question, of course.</p> <p>15 BY MR. ISAACSON:</p> <p>16 Q. He was giving you advice in the way a lawyer</p> <p>17 would give you professional legal advice?</p> <p>18 A. I think a lawyer would be a lot more</p> <p>19 professional because we were friends in a weird --</p> <p>20 you know, in like how friends talk to each other. A</p> <p>21 lot of, you know, stupid jokes.</p> <p>22 BY MR. ISAACSON:</p> <p>23 Q. Setting aside the stupid jokes, because your</p> <p>24 lawyer would object if I asked for his legal advice.</p> <p>25 If he's not giving you legal advice, I'll ask you</p>	<p>1 A. Yes, they did. But I couldn't really</p> <p>2 negotiate my contract because it was -- you really</p> <p>3 couldn't negotiate with Dana.</p> <p>4 Q. When you say you couldn't negotiate, you</p> <p>5 mean your agreement for the Ultimate Fighter show in</p> <p>6 China?</p> <p>7 A. Yes.</p> <p>8 MR. ISAACSON: I'll mark this Exhibit 3.</p> <p>9 (Whereupon Exhibit 3 was marked</p> <p>10 for identification.)</p> <p>11 BY MR. ISAACSON:</p> <p>12 Q. All right. Le Exhibit 3 is an email between</p> <p>13 Susan Le and Gary Ibarra on September 11th, 2013,</p> <p>14 related to the confidential Cung Le TUF China</p> <p>15 agreement. A copy of this was given to us by your</p> <p>16 counsel as part of your files. So this is an email</p> <p>17 between your wife and your manager; correct?</p> <p>18 A. Gary only acted as someone who got me</p> <p>19 sponsorship.</p> <p>20 Q. Did Gary represent you in connection with</p> <p>21 the Ultimate Fighter China TV show?</p> <p>22 A. I don't recall.</p> <p>23 Q. And was your wife reviewing your contracts</p> <p>24 for you?</p> <p>25 A. Yeah.</p>

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<p>1 can't remember exactly, but the main concern I was 2 worried about is with the movies, and since they want 3 to lock down everything, with my identity, I just had 4 to make sure it's clear because there are certain 5 movies that will cast me, but then if they make an 6 action figure, then I need to have something where 7 I'm not locked up completely.</p> <p>8 Q. And I appreciate your telling me that, sir, 9 but my question is, whose idea was it to propose this 10 language to the UFC?</p> <p>11 A. It was, I believe, Khoa Do, who was taking 12 my -- I was asking him how I can change this, and he 13 says, you really can't.</p> <p>14 MR. DELL'ANGELO: You can answer the 15 question without revealing the substance of your 16 communications with your attorney.</p> <p>17 THE WITNESS: Yeah.</p> <p>18 BY MR. ISAACSON:</p> <p>19 Q. So was it your view at the time that by 20 adding to the language relating to the UFC brand or 21 the bouts to the identity rights provision, that you 22 weren't really changing the meaning of the provision?</p> <p>23 A. I don't understand what you're saying.</p> <p>24 Q. Well, you said, "I believe this doesn't 25 really change anything from the contract, the</p>	<p>1 Q. Thank you. And Mr. Epstein responded to you 2 at the top of the page that he was fine with making 3 the change to Section 3.1. Do you see that?</p> <p>4 A. Uh-huh, yes.</p> <p>5 Q. And in fact, they did make the change to 6 your contract in the revised promotional agreement; 7 isn't that correct?</p> <p>8 A. Yes. But what I was saying doesn't really 9 change anything because whether it's now or down the 10 line, they own the likeness forever, just like the 11 contracts that they have keeps extending, and then 12 your likeness is part of the contract under this. 13 And it just continues.</p> <p>14 Q. And what you believe is that under the 15 contract you signed, that UFC owns your likeness 16 forever as long as you're wearing the UFC logo; is 17 that right?</p> <p>18 A. I believe it's just my likeness.</p> <p>19 Q. So do you believe that since you retired 20 that the UFC owns any part of your likeness as long 21 as you're not wearing the UFC logo?</p> <p>22 MR. DELL'ANGELO: Object to the form.</p> <p>23 THE WITNESS: You know, I don't know what 24 they still promote out there. I don't see it all. 25 So if I saw everything that they had of mine, whether</p>
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<p>1 proposed language." I'd like to know what you mean 2 by that. Why doesn't this proposed language change 3 anything in the contract?</p> <p>4 A. I think it just makes it more clear that my 5 likeness has the UFC, and of course the UFC brand is 6 with me, and UFC, they own the likeness. But me 7 without the UFC, I can go do another movie and not be 8 locked into something with them.</p> <p>9 Q. So I think I understand it. So the point of 10 the language is to make clear that UFC will own your 11 identity rights when you have the UFC brand, but when 12 you don't have the UFC brand, they don't have those 13 rights; is that correct?</p> <p>14 A. I believe so.</p> <p>15 Q. And by proposing that language, you didn't 16 think you were actually changing the contract?</p> <p>17 A. I don't know. I sent it in. It's been a 18 while.</p> <p>19 Q. When you said "I believe this doesn't really 20 change anything in the contract," you understood that 21 the contract identity rights provisions applied to 22 you when you wore the UFC brand, but when you weren't 23 wearing the UFC brand, you were free to do what you 24 want; is that correct?</p> <p>25 A. Uh-huh. Yes.</p>	<p>1 it had a UFC logo or not, I don't know what they're 2 using, so I couldn't answer your question. I know 3 there's trading cards and there's action figures that 4 are out there.</p> <p>5 BY MR. ISAACSON:</p> <p>6 Q. Well, I'm talking about your -- since you 7 retired, anything you do where you're not wearing UFC 8 gear or logo. No one's ever tried to restrain you 9 from doing anything; right?</p> <p>10 MR. DELL'ANGELO: Object to the form.</p> <p>11 THE WITNESS: Not that I know of.</p> <p>12 BY MR. ISAACSON:</p> <p>13 Q. No one's ever written to you and said, 14 Mr. Le, you have to stop doing this promotion or that 15 promotion since you retired?</p> <p>16 A. No. I was still stuck in the contract for 17 over a year and a half after I retired. And I 18 couldn't -- at one point I couldn't even be a 19 commentator somewhere else. And I couldn't even 20 negotiate that I was going to fight with someone else 21 because UFC has it that I still had two fights left 22 on my contract, which should already have been done. 23 So I couldn't go to Bellator to even talk with anyone 24 else.</p> <p>25 And really there's -- you know, I was stuck.</p>

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<p>1 Q. That is, documents that were produced by</p> <p>2 Zuffa in this litigation?</p> <p>3 MR. ISAACSON: Objection. Hearsay.</p> <p>4 THE WITNESS: Yes.</p> <p>5 (Thereupon Exhibit 19 was marked</p> <p>6 for identification.)</p> <p>7 BY MR. DELL'ANGELO:</p> <p>8 Q. Mr. Le, I'm handing you what's been marked</p> <p>9 as Exhibit 19. Take a look at that document, please.</p> <p>10 Just let me know when you've had an opportunity to</p> <p>11 look at it.</p> <p>12 Is Exhibit 19 one of the documents that you</p> <p>13 had in mind that you read that was produced by Zuffa</p> <p>14 in this litigation that led you to conclude that you</p> <p>15 Mr. Bisping's GHG levels were elevated --</p> <p>16 MR. ISAACSON: Objection.</p> <p>17 MR. DELL'ANGELO: -- following your fight</p> <p>18 with him in August of 2014?</p> <p>19 MR. ISAACSON: Objection.</p> <p>20 THE WITNESS: Yes, it was.</p> <p>21 THE REPORTER: One at a time.</p> <p>22 BY MR. DELL'ANGELO:</p> <p>23 Q. And who is Lawrence Epstein, if you know?</p> <p>24 A. He's a lawyer of the UFC.</p> <p>25 Q. And do you know who Marc Ratner is?</p>	<p>1 CERTIFICATE OF DEPONENT</p> <p>2 PAGE LINE CHANGE REASON</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15 * * * * *</p> <p>16</p> <p>17 I, CUNG LE, deponent herein, do hereby</p> <p>18 certify and declare the within and foregoing</p> <p>19 transcription to be my deposition in said action;</p> <p>20 that I have read, corrected and do hereby affix my</p> <p>21 signature to said deposition.</p> <p>22</p> <p>23 _____</p> <p>24 CUNG LE, Deponent</p> <p>25</p>
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<p>1 A. I believe he works as the commissioning body</p> <p>2 of the fight, I think.</p> <p>3 Q. Is that for the UFC?</p> <p>4 A. Yes.</p> <p>5 MR. DELL'ANGELO: I have no further</p> <p>6 questions.</p> <p>7 MR. ISAACSON: No questions.</p> <p>8 THE VIDEOGRAPHER: This concludes the video</p> <p>9 deposition of Cung Le. We are now going off the</p> <p>10 record. The time is approximately 3:14 p.m.</p> <p>11 MR. DELL'ANGELO: Before we go off, I just</p> <p>12 want to note that we're going to read and sign. And</p> <p>13 we'd like to designate it confidential subject to</p> <p>14 review.</p> <p>15 THE REPORTER: And would you like a copy of</p> <p>16 the transcript, the same as last time?</p> <p>17 MR. DELL'ANGELO: Yes, same order.</p> <p>18 (Thereupon the taking of the</p> <p>19 deposition was concluded at</p> <p>20 3:15 p.m.)</p> <p>21 * * * * *</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 REPORTER'S CERTIFICATE</p> <p>2 STATE OF NEVADA)</p> <p>3) SS:</p> <p>4 COUNTY OF CLARK)</p> <p>5 I, Jane V. Efaw, CCR No. 601, do hereby certify:</p> <p>6 That I reported the taking of the deposition of</p> <p>7 the witness, CUNG LE, at the time and place</p> <p>8 aforesaid;</p> <p>9 That prior to being examined, the witness was by</p> <p>10 me duly sworn to testify to the truth, the whole</p> <p>11 truth, and nothing but the truth;</p> <p>12 That I thereafter transcribed my shorthand notes</p> <p>13 into typewriting and that the typewritten transcript</p> <p>14 of said deposition is a complete, true and accurate</p> <p>15 transcription of said shorthand notes taken down at</p> <p>16 said time, and that a request has been made to review</p> <p>17 the transcript.</p> <p>18 I further certify that I am not a relative or</p> <p>19 employee of counsel of any party involved in said</p> <p>20 action, nor a relative or employee of the parties</p> <p>21 involved in said action, nor a person financially</p> <p>22 interested in the action.</p> <p>23 Dated at Las Vegas, Nevada, this ____ day of</p> <p>24 _____, 2017.</p> <p>25 _____</p> <p>Jane V. Efaw, CCR #601</p>